

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

SPENCER MAYHEW, individually and on	)	
behalf of all others similarly situated; and	)	
ROSALIE NOREN, individually and on behalf	)	
of all others similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. CIV-24-00814-JD
	)	
CANDID COLOR SYSTEMS, INC.,	)	
an Oklahoma corporation,	)	
	)	
Defendant.	)	

**ORDER**

Before the Court is the Motion to Dismiss filed by Defendant Candid Color Systems, Inc. (“Motion”). [Doc. No. 11]. The Motion challenges Plaintiff’s original Complaint [Doc. No. 1].

In response to the Motion, Plaintiff timely filed an Amended Complaint under Federal Rule of Civil Procedure 15(a)(1)(B). *See* [Doc. No. 25]. Plaintiff’s amendment “supersedes the original and renders it of no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991); *see Predator Int’l, Inc. v. Gamo Outdoor USA, Inc.*, 793 F.3d 1177, 1180–81 (10th Cir. 2015); *Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007). Thus, the Motion is moot.

IT IS THEREFORE ORDERED that the Motion to Dismiss [Doc. No. 11] is DENIED as moot and without prejudice.

IT IS SO ORDERED this 11th day of October 2024.



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JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE